

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No: 8316

Stephane Côté

Art Unit: 2624

Application No: 10/635,570

Examiner: C. M. Larose

Filed: August 7, 2003

Customer No.: **26694**

PATENT TRADEMARK OFFICE

For: **INTERACTIVE TOOL FOR REMOVAL
OF ISOLATED OBJECTS ON RASTER
IMAGES**

**STATEMENT TO ACCOMPANY PETITION FOR REVIVAL
OF UNAVOIDABLY OR UNINTENTIONALLY ABANDONED APPLICATION**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the provisions of 37 C.F.R. § 1.137(b), Applicant, in the accompanying petition, is petitioning for revival of the above-identified application, which became abandoned for failure to pay the issue fee due July 24, 2007.

Applicant's representative prepared the Issue Fee Transmittal, accompanying Fee Transmittal Form SB-17, Transmittal Form SB-21, and an internal filing receipt for electronic filing on July 20, 2007. The papers were embedded with the proper fonts and downloaded into the representative's internal database for e-filing. However, the documents were never actually e-filed in the USPTO. Applicant's representative believed that the e-filing had taken place, and updated the docketing system that the e-filing had taken place, and reported the filing to the applicant. Copies of the filing papers are attached.

Applicant's representative did not discover the lack of payment until a Notice of Abandonment (attached) was received. Therefore, the failure to pay the required issue fee and

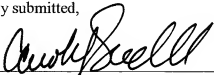
publication fee was unavoidable. If the failure to pay is not found to be unavoidable, it was at least unintentional. The Commissioner is also hereby authorized to charge any further additional fee or to credit any overpayment associated with this communication to Deposit Account No. 22-0261, including any necessary fee for an extension of time (which, if needed, is hereby requested).

Should you have any questions please feel free to contact Applicants' undersigned representative.

Dated: August 23, 2007

Respectfully submitted,

By:



Caroline J. Syndell
Registration No.: 56,784

VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant

886569

PATE PROSECUTION RECEIPT OF FILING

141018

Venable Filing Number

Atty. Docket No: 36488-188318

Title of Application: INTERACTIVE TOOL FOR REMOVAL OF ISOLATED OBJECTS ON RASTER IMAGES

Application No: 10/635,570

Patent No. :

Attorney/LAA: CJS:cja

PTO Due Date: July 24, 2007

Current Date:

Filing Date: August 7, 2003

Issue Date:

The following items were received from Venable LLP, Washington, D.C., by the U.S. Patent & Trademark Office on the date stamped hereon:

U.S. PTO FEES ENCLOSED

COPY

☒ Transmittal Form SB-21
☒ Fee Transmittal Form SB-17
 New U.S. Patent Application
 (pages of specification/claims)
 Rule 53(d) Continued Prosecution Application
 Rule 53(b) Continuation or Divisional Application
 (attach copy of specification, claims, drawings and declaration)
 U.S. National Stage Application of PCT Application
 Request for Continued Examination (RCE) under 37 CFR 1.114
 Application Data Sheet
 Substitute Specification
 Priority Document-Cert. Copy of
 Appln.#: ; Country: ; Date Filed:
 Formal Drawings (sheets, Figs.)
 Inventor Declaration
 Assignment w/Cover Sheet
 Response to Notice to File Missing Parts
 Response to Notice to File Missing Requirements
 Response to Requirement
 Information Disclosure Statement with cited references
 Response
 Amendment / Preliminary Amendment
 Petition/Request for Extension of Time (mo. ext.)
 Power of Attorney
 Terminal Disclaimer
 Notice of Appeal
 Appeal Brief (in triplicate) / Reply Brief (in triplicate)
 Request for Oral Hearing
 Confirmation of Hearing Petition
☒ Issue Fee Transmittal
☒ Yellow filing receipt
 Maintenance Fee Transmittal
 Status Inquiry
 Other: (Please describe below)

Filing Fee
 Search Fee
 Examination Fee
 Additional Claim Fee
 Extension Fee
 IDS Fee
 Recordation Fee
 Notice of Appeal Fee
 Brief on Appeal
 Oral Hearing Request Fee
 Petition Fee
 1,400.00 Issue Fee
 Maintenance Fee
 Other Fees (Describe)

1,400.00 Total Fees Paid

Charge the above fees as follows:

☒ USPTO Deposit Account No. 22-0261
☐ USPTO Deposit Account No.
☐ USPTO not to charge any Deposit Account

Reviewed By:

Signature of Attorney

Date

July 20, 2007

COPY

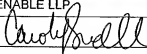
PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h2 style="text-align: center;">TRANSMITTAL FORM</h2> <p style="text-align: center;"><i>(to be used for all correspondence after initial filing)</i></p>		Application Number	10/635,570-Conf. #8316
		Filing Date	August 7, 2003
		First Named Inventor	Stephane Côté
		Art Unit	2624
		Examiner Name	C. M. Larose
Total Number of Pages in This Submission		Attorney Docket Number	36488-188318

ENCLOSURES (Check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form SB-17 <input checked="" type="checkbox"/> Transmittal Form SB-21 <input checked="" type="checkbox"/> Issue Fee Transmittal <input checked="" type="checkbox"/> Yellow filing receipt <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	VENABLE LLP
Signature	
Printed name	Caroline J. Swindell
Date	July 20, 2007
Reg. No.	56,784

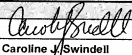
878333

COPY

Approved for use through 06/30/2007. OMB 0691-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 4818). <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2007</h3>		Complete if Known Application Number 10/635,570-Conf. #8316 Filing Date August 7, 2003 First Named Inventor Stephane Côté Examiner Name C. M. Larose Art Unit 2624 Attorney Docket No. 36488-188318	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 1,400.00			

METHOD OF PAYMENT (check all that apply)							
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify):							
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP							
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)							
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee							
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments							
FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES Small Entity Fee (\$) Fee (\$)		SEARCH FEES Small Entity Fee (\$) Fee (\$)		EXAMINATION FEES Small Entity Fee (\$) Fee (\$)		Fees Paid (\$)
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
							Small Entity Fee (\$) Fee (\$)
2. EXCESS CLAIM FEES Fee Description							
Each claim over 20 (including Reissues)							50 25
Each independent claim over 3 (including Reissues)							200 100
Multiple dependent claims							360 180
Total Claims		Extra Claims		Fee (\$)		Fee Paid (\$)	
- 57 =		x		=			
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims		Fee (\$)		Fee Paid (\$)	
- 8 =		x		=			
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee (\$) Fee Paid (\$)	
- 100 =		/50 =		(round up to a whole number) x			
4. OTHER FEE(S) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): 1501 Utility issue fee							
							1,400.00

SUBMITTED BY			
Signature 	Registration No. 56,784 (Attorney/Agent)	Telephone (703) 760-1676	
Name (Print/Type) Caroline J. Swindell		Date July 20, 2007	

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with... applicable fee(s), to: **Mail**

Mail Stop ISSUE, cEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as maintained unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

26694

7590

04/24/2007

VENABLE LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

COPY

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO.
----------------	-------------	----------------------	--------------------	------------------

10/635,570

08/07/2003

Stephane Cote

36488-188318

8316

TITLE OF INVENTION: INTERACTIVE TOOL FOR REMOVAL OF ISOLATED OBJECTS ON RASTER IMAGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
-------------	--------------	---------------	---------------------	----------------------	------------------	----------

nonprovisional	NO	\$1400	\$0	\$0	\$1400	07/24/2007
----------------	----	--------	-----	-----	--------	------------

EXAMINER	ART UNIT	CLASS-SUBCLASS
----------	----------	----------------

LAROSE, COLIN M

2624

382-282000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Venable, LLC

2 James R. Burdett

3 Caroline J. Swindell

1. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Bentley Systems, Inc.

Exton, PA

*case check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

1a. The following fee(s) are submitted:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 22-0261 (enclose an extra copy of this form).

Change in Entity Status (from status indicated above)

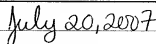
- ☒ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

(NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature



Date



Typed or printed name

Caroline J. Swindell

Registration No.

56,784

his collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) a application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.